REMARKS

Claims 1-4 and 43-46 are currently pending. Claims 1, 43 and 46 have been amended.

In the Office Action mailed January 31, 2003, the Examiner rejected claims 1-4 and 43-46 under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. No. 6,327,578 issued to Mark Linehan ("Linehan '578"). This rejection is respectfully traversed in view of the amended claims presented herein.

In the Office Action, the Examiner acknowledged that the steps claimed by Applicants were not disclosed by Linehan '578, but contended that the missing steps were inherently present in Linehan '578. The Examiner stated "[a]s per the steps of assembling credentials for the transaction, said credentials comprising at least one key and providing at least a portion of said credentials to said user, these are inherent steps." *Office Action, January 31, 2003 at p. 2 par 4.* In support of this inherency argument, the Examiner stated that "Linehan discloses the step of receiving a second request including credentials and validating the credential, which implies that credentials comprising at least one key was assembled and provided to the user. Thus, the assembling and providing credentials are prerequisites for the receiving a second request [including the credentials] and validating the credentials." *Id. at pp. 2-3, par 4.*

4

A close review of Linehan '578 leads to the understanding that Linehan discloses a four-party protocol method of doing business for electronic commerce that provides an issuer gateway and moves the credit/debit card authorization function from the merchant to the issuer thus enabling pre-authorization of payments by generating and transmitting an authorization token. *See Linehan '578, col. 5, lines 50-55; col. 6, lines 15-61.* Linehan '578 teaches that in response to a consumer purchase selection, the merchant's computer 204 sends a merchant message 222 to the consumer's computer 202. *Linehan '578, col. 5, lines 55-59; See also Fig. 2A-2C.* The merchant message 222 includes a wallet initiation message, a merchant digital signature, and a digital certificate from an acquiring bank 208. The wallet initiation message in turn includes information about the purchase that the consumer is attempting to make, such as payment amount, an order description and timestamp. *Id. at lines 55-63.* These actions start a consumer's wallet program in the consumer's computer 202 in response to the wallet initiation message. *Id. at lines 63-65.* The consumer's computer 202 then attempts to communicate with the issuer gateway 214.

When a consumer smart card is used in the four-party protocol method, Linehan '578 discloses that:

> "[w]hen the consumer's computer 202 sends an attempt message 272 which attempts to connect with the issuer gateway 214, the issuer gateway responds to the consumer computer with a challenge message 274. The consumer computer 202 then passes the challenge on to the smart card reader 260, which passes it on as the challenge 274' to the smart card 262. The smart card 262 then signs the challenge with its digital signature and returns the signed challenge response 276 to the consumer's computer 202. The consumer's computer 202 then combines the signed challenge response 276 with the merchant's initiation message 224 and sends it on to the issuer gateway. The issuer gateway 214 verifies the smart card's signature and thus verifies the

consumer's identity."
Linehan '578, col. 7, lines 20-38; Fig. 2C.

Accordingly, Applicant's respectfully submit that Linehan '578 specifically discloses that <u>a smart card generates a digital signature and signed challenge response on the client side of the</u> <u>consumer computer</u> relative to the server side issuer gateway 214 as shown in Fig. 2C of Linehan '578.

As made more clear by the amendments to independent claims 1 and 43, in Applicants' claimed methods, credentials for a transaction are assembled on the server side, and a portion of the assembled credentials are provided from the server side to the user. Further, independent claims 1 and 43 also include the step of receiving a second request from the user that includes a portion of credentials that were assembled on the server side and provided to the user from the server side.
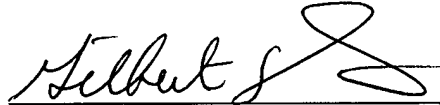
Applicants respectfully submit that there is simply no teaching or disclosure in Linehan '578 of assembling credentials for the transaction at the server side issuer gateway 214 and providing at least a portion of the assembled credentials from the server side issuer gateway 214 to the user computer as claimed in amended claims 1 and 43.

Applicants therefore respectfully assert that independent claims 1 and 43, as amended, are patentably distinct from Linehan '578 and therefore in condition for allowance. Inasmuch as independent claims 1 and 43 are now believed to be allowable, Applicants respectfully submit that dependent claims 2-4 and 44-46, which depend from claims 1 and 43, respectively, either directly or indirectly, are also allowable for the same reasons.

CONCLUSION

For the foregoing reasons, Applicants respectfully requests that the foregoing amendment be entered and that the pending claims be considered and allowed to issue. The Examiner is encouraged to contact the undersigned directly at (312) 984-7619 should there be any issues that might hinder the passage of this application to issue.

Respectfully submitted,

Date: July 30, 2003

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7